

184457



*The Public Service Commission
State of South Carolina*

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February 13, 2007

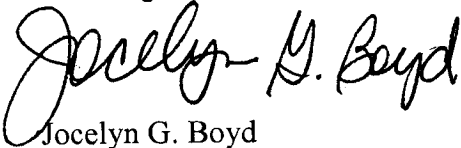
Mr. William Harvey
General Manager
Davidson Cable TV of South Carolina, Inc.
26 Okatie Maintenance Road
Bluffton, South Carolina 29909

RE: Davidson Cable TV of South Carolina, Inc. v. Hargray Communications

Dear Mr. Harvey:

The Public Service Commission of South Carolina (the Commission) received a number portability complaint from Davidson Cable TV of South Carolina, Inc. (Davidson) on November 6, 2006. Thereafter, on December 14, 2006, Hargray Telephone Company, Inc. filed a response to Davidson's complaint. (A copy of the response is attached.) If Davidson intends to respond to Hargray Telephone Company's response, it should file its response in writing to the Commission, and provide a copy to the Office of Regulatory Staff and counsel for Hargray Telephone Company, Inc. no later than Tuesday, February 20, 2007. Please note that the Commission will proceed with the disposition of this matter after Tuesday, February 20, 2007.

Best Regards,


Jocelyn G. Boyd

cc: All Parties of Record
DMS

Enclosure

RECEIVED
FEB 13 2007
PSC SC
MAIL / DMS

183250

MCNAIR LAW FIRM, P.A.
ATTORNEYS AND COUNSELORS AT LAW

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COLUMBIA, SOUTH CAROLINA 29201

COPY

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Posted: led

Dept: S.A.

December 13, 2006

Date: 12/14/06

Time: 11:30

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DEC 14 2006

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SC PUBLIC SERVICE
COMMISSION

2006 DEC 13 PM 3:27

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Mr. Charles L. A. Terreni
Chief Clerk/Administrator
South Carolina Public Service Commission
Synergy Business Park, The Saluda Building
101 Executive Center Drive
Columbia, South Carolina 29210

**Re: Davidson Cable TV of SC, Inc. v. Hargray Telephone Company, Inc.
Docket No. 2006-343-C**

Dear Mr. Terreni:

I am writing on behalf of Hargray Telephone Company, Inc. ("Hargray"), in response to the Commission's notice dated November 13, 2006, in the above-referenced matter, to answer the allegations of the Complaint/Petition filed by Davidson Cable TV of SC, Inc. ("Davidson") on November 2, 2006.

In its Complaint, Davidson asserts that it is a "cable and internet service provider," and that the company is in the process of upgrading its services "to offer phone packages to our customers." The Complaint alleges that Hargray is "protecting" its phone numbers and is not allowing numbers to be ported from Hargray to another carrier (presumably Davidson.) Davidson provides no specific facts to support its allegations.

We respectfully request that Davidson's Complaint be dismissed on the grounds that Davidson has failed to state facts sufficient to constitute a cause of action upon which relief may be granted. Davidson has not alleged that it is a telecommunications carrier entitled to port numbers or that the Commission has jurisdiction over this matter. Instead, Davidson has referenced only a vague plan to offer phone services as a cable service provider in the future. The facts alleged in the Complaint do not support an allegation of any duty of Hargray to port numbers under these circumstances. In fact, Davidson has not even alleged that it has made any specific attempt to port numbers from Hargray.

THIS DOCUMENT IS AN EXACT DUPLICATE, WITH
THE EXCEPTION OF THE FORM OF THE
SIGNATURE, OF THE E-FILED COPY SUBMITTED
TO THE COMMISSION IN ACCORDANCE WITH

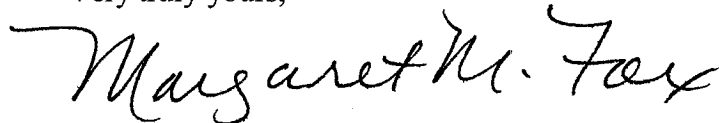
Mr. Charles L. A. Terreni

December 13, 2006

Page 2

Davidson's complaint appears to be based on mere speculation and hypothetical future offerings and events. We, therefore, request that the Commission enter an order dismissing the complaint for failure to state facts sufficient to constitute a cause of action.

Very truly yours,

A handwritten signature in black ink that reads "Margaret M. Fox". The signature is written in a cursive, flowing style with a large initial 'M' and a stylized 'F'.

Margaret M. Fox

cc: Parties of Record
Robert J. LaBonté
Mark D. Reinhardt

BEFORE
THE PUBLIC SERVICE COMMISSION
OF
SOUTH CAROLINA

Docket No. 2006-343-C

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2006 DEC 13 PM 3:27
SC PUBLIC SERVICE
COMMISSION

Davidson Cable TV of
South Carolina, Incorporated

Complainant/Petitioner,

v.

Hargray Telephone Company, Inc.,

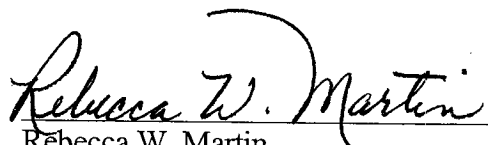
Defendant/Respondent.

CERTIFICATE OF SERVICE

This is to certify that I, Rebecca W. Martin, an employee with the McNair Law Firm, P. A., have this date served one (1) copy of the attached Answer of Hargray Telephone Company, Inc. in the above-referenced matter to the persons named below by causing said copy to be deposited with the United States Postal Service, first class postage prepaid and affixed thereto, and addressed as shown below.

William Harvey
General Manager
Davidson Cable TV of South Carolina
26 Okatie Maintenance Road
Bluffton, South Carolina 29909

Nanette S. Edwards, Esquire
Office of Regulatory Staff
Post Office Box 11263
Columbia, South Carolina 29211


Rebecca W. Martin
McNair Law Firm, P.A.
Post Office Box 11390
Columbia, South Carolina 29211
(803) 799-9800

December 13, 2006